

U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250

<b>DEPARTMENTAL REGULATION</b>		<b>Number:</b> 1043-045
<b>SUBJECT:</b> Biotechnology Advisory Committee	<b>DATE:</b> June 26, 2001	
	<b>OPI:</b> Agricultural Research Service	

1 PURPOSE

The U.S. Department of Agriculture (USDA) encourages and supports the responsible development and utilization of beneficial new agricultural products, including those produced through biotechnology, and assures the safety of new products with a science based regulatory approach. USDA has complex and crucial roles in protecting public health and safety, the natural environment, and a competitive, vibrant, and diverse farm economy; ensuring the quality and availability of our food and fiber supply; and maintaining a competitive position of American agricultural products in the international marketplace. These topics are complex and of crucial concern in the conduct of agricultural biotechnology research, regulation, and commercialization. USDA believes it is important to maintain an intensive and regular dialogue to explore and understand the broad array of issues related to the expanding dimensions and importance of agricultural biotechnology. Therefore, USDA is establishing the Advisory Committee on Agricultural Biotechnology (ACAB) to advise the Secretary of Agriculture on policy issues related to agricultural biotechnology.

2 SPECIAL INSTRUCTIONS/CANCELLATION

- a This regulation shall terminate February 4, 2002.
- b The ACAB may appoint such subcommittees as it deems necessary to carry out the functions of the ACAB.

3 OFFICERS AND MEMBERSHIP

- a ACAB will have a Chairperson who will be appointed by the Secretary of Agriculture, and a Designated Federal Official (DFO), who will also be the Executive Secretary of the USDA Biotechnology Coordinating Committee. Members of the ACAB will be appointed by the Secretary of Agriculture. ACAB will not conduct a meeting in the absence of the Chairperson, or his or her designee, and the DFO.

- b ACAB, including the Chairperson will consist of 35 to 40 members of whom no more than five (5) will be federal employees. Members of ACAB will be knowledgeable in one or more of the following areas: recombinant-DNA (rDNA) research and applications using plants; rDNA research and applications using animals; rDNA research and applications using microbes; food science; silviculture and related forest science; fisheries science; ecology; veterinary medicine; the broad range of farming or agricultural practices; weed science; entomology; nematology; plant pathology; small farm advocacy; biodiversity issues; applicable laws and regulations relevant to agricultural biotechnology policy; risk assessment; consumer advocacy and public attitudes; public health/epidemiology; occupational health; ethics, including bioethics; human medicine; biotechnology industry activities and structure; intellectual property rights systems; and international trade. Members will be selected in order to achieve a balanced representation of viewpoints to address effectively USDA biotechnology policy issues under consideration.
- c The Secretary of Agriculture shall select as Chairperson of the ACAB one of the appointed members. The term of the Chairperson shall be 2 years.
- d Equal opportunity practices, in line with USDA policies, will be followed in all appointments to ACAB. To ensure that recommendations of ACAB have taken into account the needs of the diverse groups served by USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.
- e Additional individuals representing relevant federal and state agencies may be utilized to provide advice and expertise. Expert consultants may be called upon for advice on an ad hoc basis.

#### 4 DUTIES

- a The officers of the ACAB will have the following responsibilities:
  - (1) The Chairperson or his or her designee will approval the agenda for the meetings, preside over and adjourn meetings under normal circumstances, and certify the accuracy of the minutes.
  - (2) The Executive Secretary will be responsible for preparing the minutes of each meeting.
  - (3) The DFO shall have the authority and be required to adjourn any meeting under circumstances in which he or she considers adjournment to be in the public interest, and must approve the agenda in advance of any meeting of the ACAB.

- b The ACAB will meet at the call of the Chairperson with the approval of the DFO approximately four (4) times per year. Meetings may be held less frequently if the workload of the ACAB permits. A quorum will consist of a simple majority of the members of the ACAB.
- c The functions of the ACAB will be solely advisory, and any determinations of actions to be taken as a result of the work of the ACAB will be made by the Secretary of Agriculture or other appropriate full-time, salaried USDA officials as designated by the Secretary of Agriculture.
- d Subsequent to signing a commitment to protect such information, proprietary documents may be furnished to members of the ACAB. Copies of the USDA regulations governing the control of proprietary documents will be furnished to each member of the ACAB.
- e ACAB records will consist of all papers and documents pertinent to the establishment and activities of the ACAB, including its charter, agendas, minutes, and all documents related to its procedures, roster, all communication between the USDA and the ACAB, and all written materials and reports considered or issued by the ACAB.
- f The ACAB will advise the Secretary of Agriculture on issues related to the use of biotechnology in agriculture. These issues include, but are not limited to, the impacts of biotechnology on farmers, on agriculture in general, and on consumers, how to maximize the potential benefits that may derive from new biotechnology applications, current and potential trade disputes concerning products containing biotechnology-derived components, and effects of changing agricultural industry structure on growers and producers.

## 5 ESTIMATED ANNUAL OPERATING COSTS

Members of the ACAB and its subcommittees shall serve without pay, but with reimbursement of travel expenses and per diem for attendance at ACAB and subcommittee functions for those committee members who require assistance in order to attend the meetings. The estimated annual operating cost for support of operations of the ACAB for fiscal year 2001 is \$315,936 and 0.9 staff years.

## 6 NUMBER AND FREQUENCY OF MEETINGS

The ACAB will meet up to four (4) times per year. Meetings will be open to the public except when a determination is made in writing by the Secretary of Agriculture or his designee that any or all portions of a meeting should be closed in accordance with 5 U.S.C. 552b (c).

7 REPORTS/SUPPORT

- a The ACAB will report as necessary to the Secretary of Agriculture.
- b Staff and support functions required for operation of the ACAB shall be supplied by Research, Education, and Economics, USDA.

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